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Engineers, Walla Walla District, 201
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99362-1876.

A copy may be requested by calling
Deborah A. Hill, Assistant United States
Attorney, at (208) 334-1211. In
requesting a copy, please enclose a
check payable to the Treasury of the
United States in the amount of \$6.00 for
a copy of the Consent Decree with
attachments and postage.

Deborah A. Hill,

Assistant U.S. Attorney, District of Idaho.

[FR Doc. 98-12627 Filed 5-12-98; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA")

Notice is hereby given that on April 21, 1998, a proposed Consent Decree was lodged with the United States District Court for the Northern District of Iowa in *United States v. Foxley Cattle Co., et al.*, Civil Action No. C98-4032 DEO, (N.D. Iowa). The proposed Consent Decree settles claims asserted by the United States at the request of the United States Environmental Protection Agency ("EPA") under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. 9607(a), in a complaint filed concurrently with the lodging of the proposed Consent Decree. The complaint seeks reimbursement of response costs incurred and to be incurred by the United States in response to the release or threatened release of hazardous substances at the Mid-America Tanning Company Superfund Site, located in Woodbury County, Iowa.

Under the proposed Consent Decree, defendant Foxley Cattle Company shall, *inter alia*, reimburse the EPA Hazardous Substance Superfund \$642,000, plus interest, shall pay \$100,000 for payment of Natural Resource Damages to the United States, and shall conduct and perform groundwater sampling and analysis at the Site in accordance with an EPA approved plan. Defendant Andrew M. Hain shall, *inter alia*, reimburse the EPA Hazardous Substance Superfund \$100,000. In

exchange, and conditioned upon the complete and satisfactory performance of their obligations under the proposed Consent Decree, the settling defendants shall receive a covenant not to sue pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), and Section 7003 of RCRA, 42 U.S.C. 6973, to undertake response actions or to recover response costs at or in connection with the Site. Foxley also shall receive a covenant not to sue pursuant to Section 107(a) of CERCLA, 42 U.S.C. 9607(a), for Natural Resource Damages related to the Site. In addition, the settling defendants receive contribution protection under Section 113(f)(2), 42 U.S.C. 9613(f)(2), for matters addressed in the proposed Consent Decree. The United States reserves the right to pursue the settling defendants in certain circumstances if previously unknown conditions or information indicates that response action performed at the Site is not protective of human health or the environment.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20503, and should refer to *United States v. Foxley Cattle Co., et al.*, DOJ #90-11-2-1185A. The proposed Consent Decree may be examined at the EPA Region 7 Office at 726 Minnesota Ave., Kansas City, KS 66101. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (202) 624-0892. In requesting a copy, please enclose a check in the amount of \$10.50 (25 cents per page) payable to the "Consent Decree Library".

Joel Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*

[FR Doc. 98-12628 Filed 5-12-98; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

Notice is hereby given that on April 17, 1998, a proposed Consent Decree was lodged with the United States District Court for the District of Kansas in *United States v. Texaco Pipeline, Inc., et al.*, Civ. No. 96-2152-GTV (D.

Kan.). The proposed Consent Decree settles claims asserted by the United States at the request of the United States Environmental Protection Agency ("EPA") in an action originally filed on April 1, 1996. The United States filed this action pursuant to the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act ("CWA" or "Act"), 33 U.S.C. §§ 1251 *et seq.* The complaint requested the assessment of civil penalties and injunctive relief against defendants Texaco Pipeline, Inc. ("Texaco Pipeline") and Texaco Trading and Transportation, Inc. ("Texaco Trading") for discharges of oil into navigable waters of the United States or adjoining shorelines in violation of Sections 301 and 311 of the CWA, 33 U.S.C. 1311 and 1321. These discharges took place from the defendants' pipeline systems in the State of Kansas.

Under the proposed Consent Decree, the defendants' collectively will pay to the United States a \$925,000 civil penalty. In addition, Texaco Trading shall purge and permanently remove from service specified portions of its pipeline system. The defendants also shall undertake additional injunctive relief which includes the lowering of pipeline, improved maintenance of pipeline, and inspection of pipeline within the State of Kansas.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Texaco Pipeline Inc., et al.*, DOJ #90-5-1-1-4272. The proposed Consent Decree may be examined at the EPA Region 7 Office at 726 Minnesota Ave., Kansas City, KS 66101. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005 (202) 624-0892. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page) payable to the "Consent Decree Library".

Joel Gross,

*Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.*
[FR Doc. 98-12630 Filed 5-12-98; 8:45 am]

BILLING CODE 4410-15-M